

B7  
41. (Amended) The system of Claim 25, wherein the redemption information is printed on a paper slip with a digitally encoded region disposed thereon, which contains information regarding the information contained within the paper slip, which digitally encoded information [can be] is optically retrieved at a later time.

B7  
45. (Amended) The system of Claim 25, wherein the redemptionable item in a later purchase transaction is purchased by presenting a paper comprising the redemption information.

### REMARKS

Applicants have carefully reviewed the Office Action dated July 9, 1999. Applicants have amended Claims 1-5, 17, 19, 23, 25-29, 39, 41, and 45 to more clearly point out and distinctly claim the subject matter of present invention. Reconsideration and favorable action is respectfully requested.

The title has been objected to by the Examiner. The title has been changed to more clearly describe the invention to which the claims are directed.

The specification has been amended to place Figures 1 and 19 in compliance with the Examiner's objections. Additionally, Figure 1 is submitted for correction to include the missing reference number objected to by the Examiner. Corrections to Figure 19 are submitted to conform amended reference numbers of the drawing with amendments to the respective reference numbers in the written description.

Claims 1-3, 7, 14-21, 23, 25-27, 31, 36-43 and 45 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Greer*, European Patent No. 0 511 463 A2. This rejection is respectfully traversed with respect to the amended claims.

Applicants' present inventive concept, as defined by the amended claims, is directed toward a system that is operable, in an initial purchase transaction, to discriminate between a plurality of purchased items to determine if that item is a *discount-triggering* or a *non-discount-triggering* item. When a discount-triggering item is detected, typically through the scanning of that item, this event is noted and a value accrued in the form of the redemption value. When all of the discount-triggering items have been accumulated during that initial purchase transaction, then a final redemption receipt in the form of the redemption information is issued, this being done at the end of the initial purchase transaction. After issuance, this can then be redeemed in a second and later purchase transaction when the redemption item is part of that later transaction, it being noted the term "later" is associated with the dependent claims, Claims 23 and 35.

The *Greer et al.* patent is associated with a system that provides a cumulative discount certificate in response to purchase of multiple discountable products. However, there is no association between the discount certificate and a defined redemptionable item. Conversely, as set forth in *Greer* beginning at column 5, line 45, this discount certificate can be applied to another order when the customer returns it to the store on a subsequent visit. See also column 8 beginning at line 23. It can therefore be seen that this certificate can be redeemed as a mere discount off of another purchase of any product.

Since the *Greer et al.* patent does not disclose the operation of providing a discount on a redemptionable item through the purchase of discount triggering products, Applicants believe that *Greer et al.* neither anticipates nor obviates Applicants' present invention, as defined by the amended claims. Therefore, Applicants respectfully request withdrawal of 35 U.S.C. § 102(b) rejection with respect to Claims 1-3, 7, 14-21, 23, 25-27, 31, 36-43 and 45.

Claims 22 and 44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Greer et al.* This rejection is respectfully traversed. For the reasons described hereinabove, with respect to

the independent claims from which Claims 22 and 44 are dependent, Applicants respectfully request withdrawal of 35 U.S.C. § 103(a) rejection with respect to Claims 22 and 44.

Claims 4, 5, 28 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Greer et al.*, as applied to Claims 3 and 27, respectfully, and further in view of *Off et al.* This rejection is respectfully traversed.

The Examiner noted that *Greer et al.* does not specifically disclose the filtering operation of the discount-triggering items. However, Claims 4, 5, 28 and 29 depend from independent claims which were argued above as not being anticipated or obviated by *Greer et al.* *Off et al.* does not cure the deficiencies noted with respect to *Greer et al.* and, therefore, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection with respect to Claims 4, 5, 28 and 29.

Claims 6 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of *Greer et al.* as applied in Claims 1 and 25, respectively, and further in view of *Mindrum et al.* This rejection is respectfully traversed.

The Examiner noted that *Greer et al.* does not specifically disclose summing one or more bundles, the total sum of which is limited to a maximum value. However, Claim 6 and 30 depend from independent claims which were argued above as not being anticipated or obviated by *Greer et al.* The *Mindrum et al.* reference does not overcome the deficiencies noted hereinabove with respect to *Greer et al.* and, therefore, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection with respect to Claims 6 and 30.

Claims 8, 9, 32 and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Greer et al.*, as applied new Claims 7 and 31, respectfully, and further in view of *Suda*. This rejection is respectfully traversed.

The Examiner noted that *Greer et al.* does not specifically disclose the step of issuing cash register receipt information and the step of issuing the redemption information. Claims 8, 9, 32 and 33 depend from independent claims noted hereinabove as not being obviated or anticipated by *Greer et al.* The *Suda* reference does not overcome the deficiencies noted hereinabove in *Greer et al.* and, therefore, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection with respect to Claims 8, 9, 32 and 33.

Claims 10-13, 24, 34, 35 and 46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Greer et al.* as applied to Claims 1, 7, 25 and 31, respectfully, and further in view of *Valencia et al.*

The Examiner has noted that *Greer et al.* does not specifically disclose providing a purchaser with electronic code comprising the cash register receipt information and providing the consumer with an electronic code comprising the redemption information. The rejected claims depend from independent claims which were argued above as not being obviated or anticipated by *Greer et al.* The *Valencia et al.* reference does not overcome the deficiencies noted in *Greer*, and therefore, Applicants respectfully request withdrawal of 35 U.S.C. § 103(a) rejection with respect to Claims 10-13, 24, 34, 35 and 46.

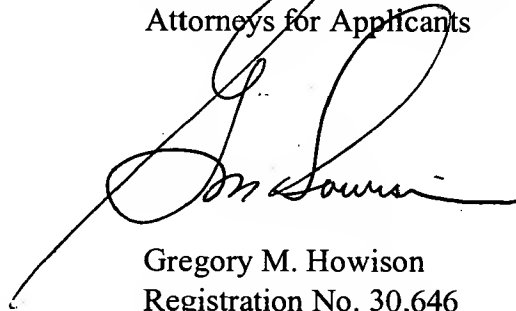
Applicants have reviewed the prior art made of record and not relied upon, specifically *Sakai et al.*, *Pruchnicki*, *Lotvin et al.*, *McCarthy* and *Robinson et al.* references.

None of the cited references noted by the Examiner, including specifically *Greer et al.*, *Off et al.*, *Mindrum et al.*, *Suda* and *Valencia et al.*, taken singularly or in combination, obviate or anticipate Applicants' present inventive concept, as defined by the amended claims. Therefore, Applicants respectfully request full allowance of the amended claims.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/FMSI-24,440 of THOMPSON & HOWISON, L.L.P.

Respectfully submitted,

THOMPSON & HOWISON, L.L.P.  
Attorneys for Applicants



Gregory M. Howison  
Registration No. 30,646

GMH/ej  
P.O. Box 741715  
Dallas, Texas 75374-1715  
972/479-0462  
October 12, 1999

100

102 ITEM	104 MINIMUM QUANTITY	105 MAXIMUM QUANTITY	106 DISCOUNT PER UNIT
A	2	5	0.20
B	4	8	0.05
C	1	4	0.10
D	3	10	0.15
E	1	5	0.12
F	1	5	0.13
MAXIMUM DISCOUNT PER GALLON			0.75

108

FIG. 1

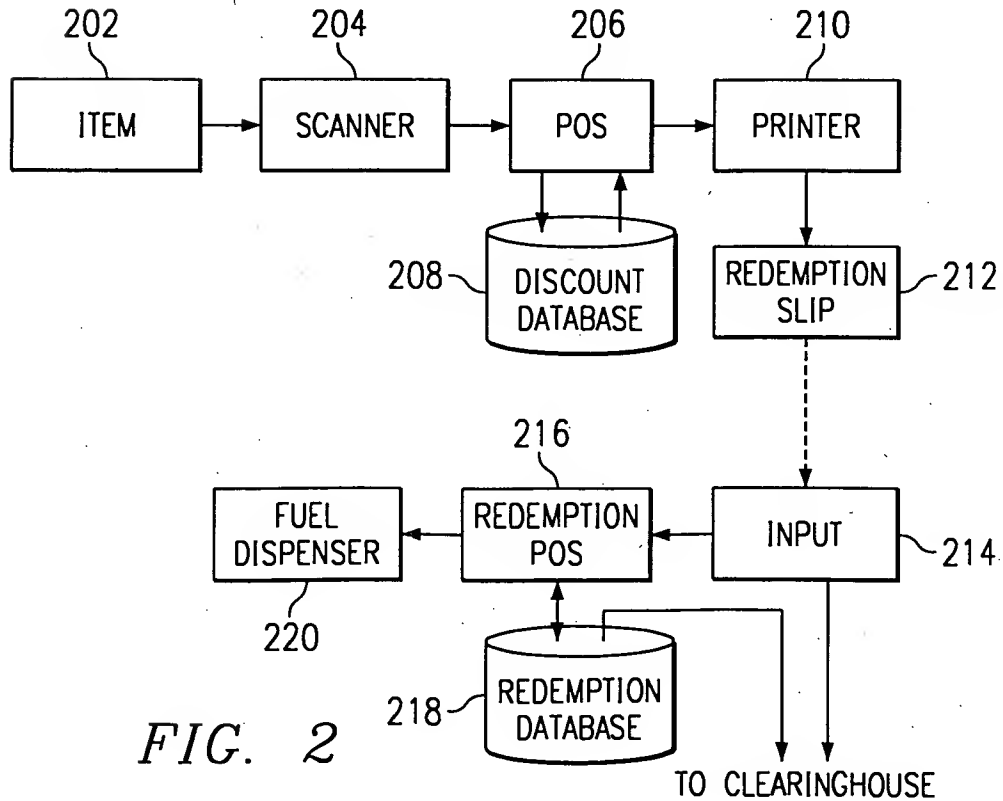


FIG. 2

APPROVED  
BTS  
11/4/99

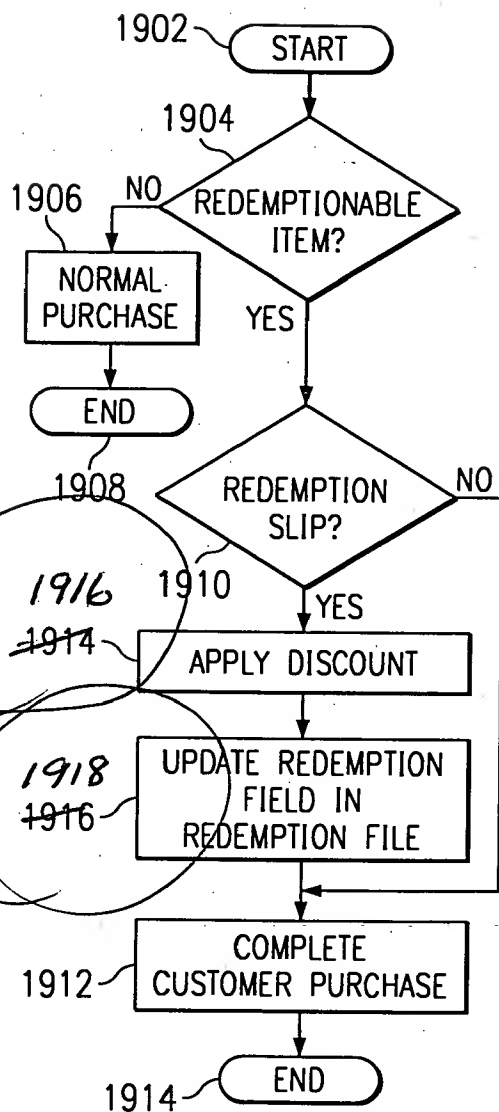


FIG. 19

APPROVED  
BTS  
11/4/99

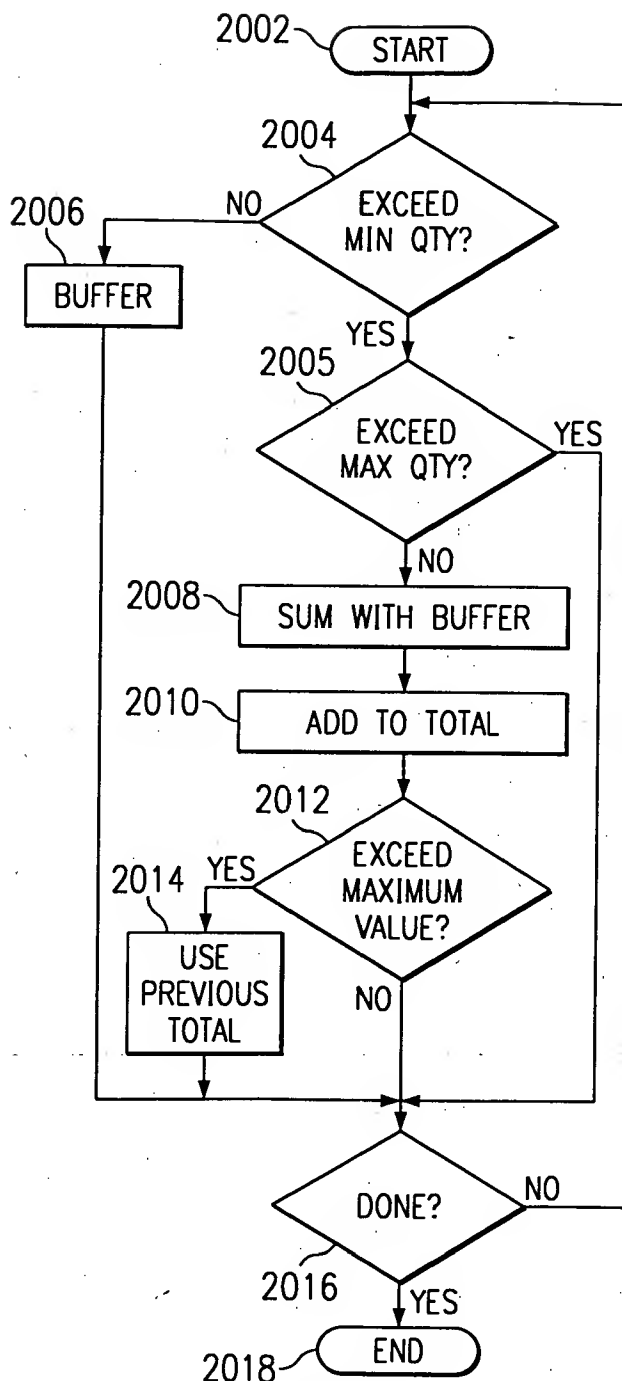


FIG. 20